

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW

8110 GATEHOUSE ROAD

SUITE 500 EAST

FALLS CHURCH, VA 22042-1210

USA

(703) 205-8000

FAX (703) 205-8050

(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com

web: http://www.bskb.com

**CALIFORNIA OFFICE
COSTA MESA, CALIFORNIA**

THOMAS S. AUCHTERLONIE
JAMES T. ELLER, JR.
SCOTT L. LOWE
MARK J. NUELLE, PH.D.
D. RICHARD ANDERSON
PAUL C. LEWIS
MARK W. MILSTEAD*
RICHARD J. GALLAGHER
JAYNE M. SAYDAH*
MARYANNE ARMSTRONG, PH.D.
HYUNG N. SOHN
ALAN PEDERSEN-GILES
KECIA J. REYNOLDS

REG. PATENT AGENTS*
FREDERICK R. HANDREN
MAKI HATSUMI
MIKE S. RYU
CRAIG A. McROBBIE
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.
MATTHEW J. LATTIG
TIMOTHY R. WYCKOFF
KRISTI L. RUPERT, PH.D.
LARRY J. HUME
ALBERT K. LEE
HAYR A. SAYADIAN, PH.D.
EVE L. FRANK, PH.D.
MATTHEW T. SHANLEY

TERRELL C. BIRCH
RAYMOND C. STEWART
JOSEPH A. KOLASCH
JAMES M. SLATTERY
BERNARD L. SWEENEY*
MICHAEL K. MUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
TERRY L. CLARK
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
DONALD J. DALEY
JOHN W. BAILEY
JOHN A. CASTELLANO
GARY D. YACURA

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT

*ADMITTED TO A BAR OTHER THAN VA

Date: September 19, 2001

Docket No.: 2091-0245P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a ☒ continuation ☐ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 08/970,427 filed on November 14,
1997, the entire contents of which are hereby incorporated by
reference,
by

Kazuo SHIOTA, Nobuyoshi NAKAJIMA and Shuichi OHTSUKA

for

NETWORK PHOTOGRAPH SERVICE SYSTEM

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	48-20 =	28	x 18 = \$504.00	x 9 = \$0.00
INDEPENDENT CLAIMS	15-3 =	12	x 80 = \$960.00	x 40 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$270.00	+ \$135.00
TOTAL			\$2,174.00	\$0.00

3. ☒ A check in the amount of \$2,174.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☒ --This application is a ☒ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 08/970,427, filed on November 14, 1997, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. 9-255037 and 9-266569 filed in Japan on September 19, 1997 and September 30, 1997, respectively under 35 U.S.C. § 119.--
- b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 08/970,427, filed on November 14, 1997 and for which priority is claimed under 35 U.S.C. § 120. Application No. 08/970,427 is the national phase of PCT International Application No. PCT/_____/____ filed on _____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are eight (8) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 08/970,427 on _____. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Fuji Photo Film Co., Ltd..
9. ☒ A Preliminary Amendment is enclosed.
- 10a. ☒ Priority of Application No(s). 9-255037 and 9-266569 filed in Japan on September 19 and September 30, 1997, respectively is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on March 11, 1998.
- 10b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000

or
Customer No. 2292
13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 08/970,427 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:

Substitute Specification

Marked-Up Copy of Original Specification

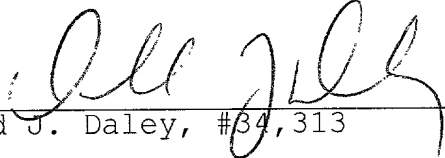
08954964-0991
F06T60-19645660

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Donald J. Daley, #34,313

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

DJD/MJL:11
2091-0245P

Attachments

(Rev. 01/23/01)

2091-0245P-11